

CSD 1140 [10/01/12]

Name, Address, Telephone No. & I.D. No.

Leslie T. Gladstone, Trustee (SBN 144615)

FINANCIAL LAW GROUP

401 Via Del Norte

La Jolla, CA 92037

Telephone 858-454-9887

UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA

325 West "F" Street, San Diego, California 92101-6991

In Re

EMMANUEL CULALA SANTOS

MA RUBY ZAFRA SANTOS,

Debtor.

BANKRUPTCY NO. 13-05225-CL7

**NOTICE OF OBJECTIONS TO DEBTOR'S CLAIM OF EXEMPTIONS
AND OPPORTUNITY FOR HEARING**

TO THE ABOVE-NAMED DEBTOR AND ATTORNEY OF RECORD, IF ANY:

I, Leslie T. Gladstone, hereby declare that I am:

[] a creditor holding a claim against your estate,

[✓] the trustee appointed to administer your estate, or [] the United States Trustee,

and that I hereby object to your claim of exemption (Schedule C) filed on May 20, 2013,

with specific reference to the following described property of this estate:

See Exhibit "A" attached hereto and herein incorporated by reference.

You are required to attach and serve declarations supporting your objections in accordance with Local Bankruptcy Rule 9013-2(a)(2).

If you object to the proposed action:

- YOU ARE REQUIRED** to obtain a hearing date and time from the appropriate Courtroom Deputy for the judge assigned to your bankruptcy case. *If a Chapter 7, 11, or 12 case*, determine which deputy to call by looking at the Bankruptcy Case No. in the caption on Page 1 of this notice. If the case number is followed by the letter:

- MM	-	call (619) 557-7407	-	DEPARTMENT ONE (Room 218)
- LA	-	call (619) 557-6594	-	DEPARTMENT TWO (Room 118)
- LT	-	call (619) 557-6018	-	DEPARTMENT THREE (Room 129)
- PB	-	call (619) 557-5157	-	DEPARTMENT FOUR (Room 328)
- CL	-	call (619) 557-6019	-	DEPARTMENT FIVE (Room 318)

- WITHIN TWENTY-EIGHT (28)¹ DAYS FROM THE DATE OF SERVICE OF THIS MOTION**, you are further required to serve a copy of your DECLARATION IN OPPOSITION TO MOTION and separate REQUEST AND NOTICE OF HEARING [Local Form CSD 1184²] upon the undersigned moving party, together with any opposing papers. The opposing declaration shall be signed and verified in the manner prescribed by Federal Rule of Bankruptcy Procedure 9011, and the declaration shall:

¹If you were served electronically or by mail, you have three (3) additional days to take the above-stated actions as calculated by Fed. R. Bankr. P. 9006(f).

²You may obtain Local Form CSD 1184 from the office of the Clerk of the U.S. Bankruptcy Court.

- a. identify the interest of the opposing party; and
- b. state, with particularity, the grounds for the opposition.

3. **YOU MUST** file the original and one copy of the Declaration and Request and Notice of Hearing with proof of service with the Clerk of the U.S. Bankruptcy Court at 325 West "F" Street, San Diego, California 92101-6991, no later than the next business day following the date of service.

IF YOU FAIL TO SERVE YOUR "DECLARATION IN OPPOSITION TO INTENDED ACTION" AND "REQUEST AND NOTICE OF HEARING" within the 28-day² period provided by this notice, NO HEARING SHALL TAKE PLACE, you shall lose your opportunity for hearing, and the objecting party may proceed to take the intended action.

DATED: July 11, 2013

/s/ Leslie T. Gladstone

[☒] Trustee [☐] Creditor [☐] U.S. Trustee

CERTIFICATE OF SERVICE

I, the undersigned whose address appears below, certify:

That I am, and at all time hereinafter mentioned was, more than 18 years of age;

That on 11th day of July, 2013, I served a true copy of the within NOTICE OF OBJECTIONS TO DEBTOR'S CLAIM OF EXEMPTIONS AND OPPORTUNITY FOR HEARING, together with the following pleadings [describe any other papers]:

by [describe here mode of service]:

VIA FIRST CLASS U.S. MAIL

on the following persons [set forth name and address of each person served] and/or as checked below:

[☒] For Chpt. 7, 11, & 12 cases: [☐] For ODD numbered Chapter 13 cases: [☐] For EVEN numbered Chapter 13 cases:

UNITED STATES TRUSTEE
Department of Justice
402 West Broadway, Suite
600
San Diego, CA 92101

THOMAS H. BILLINGSLEA, JR., TRUSTEE
530 "B" Street, Suite. 1500
San Diego, CA 92101

DAVID L. SKELTON, TRUSTEE
525 "B" Street, Suite 1430
San Diego, CA 92101-4507

[☒] Attorney for Debtor (or Debtor):
Ahren Tiller, Esq., Bankruptcy Law Center, 1230 Columbia St., Ste. 1100, San Diego, CA 92101

Emmanuel & Ma Ruby Santos, 1683 Picket Fence Dr., Chula Vista, CA 91915

I certify under penalty of perjury that the foregoing is true and correct.

Executed on July 11, 2013
(Date)

/s/ Candi Collins
(Typed Name and Signature)

401 Via Del Norte
(Address)

La Jolla, CA 92037
(City, State, ZIP Code)

In re: Emmanuel Culala Santos & Ma Ruby Zafra Santos
Case No. 13-05225-CL7

EXHIBIT “A” TO OBJECTION TO DEBTOR’S CLAIM OF EXEMPTIONS

The Trustee objects to the Debtors’ claim of exemption on the Sharp Saver DB Plan (\$23,885.33), Sharp Saver DC Plan (\$56,708.30), and Union Bank Traditional IRA (\$5,000). The Trustee is investigating the Debtors’ contributions to these plans, particularly any eve-of-bankruptcy contributions that exceed the maximum contribution limit for retirement plans. To the extent that any contributions to the above plans exceed the maximum contribution limit(s), the Debtors’ claim of exemption in such plan(s) should be disallowed.